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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/825,436  | 04/02/2001  | Richard C. Gowen     | 051207-1080         | 1807             |
| 22827   | 7590        | 04/21/2005           | EXAMINER            |                  |
| DORITY & MANNING, P.A.<br>POST OFFICE BOX 1449<br>GREENVILLE, SC 29602-1449 |             |                      | CORRIELUS, JEAN M   |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2162                |                  |

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |                                     |  |
|------------------------------|--------------------------------------|-------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>09/825,436 | <b>Applicant(s)</b><br>GOWEN ET AL. |  |
|                              | <b>Examiner</b><br>Jean M Corrielus  | <b>Art Unit</b><br>2162             |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 January 2005.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 11-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

*Handwritten signatures and initials at the bottom left of the page.*

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### **DETAILED ACTION**

1. This office action is in response to the Appeal Brief filed on January 10, 2005, in which claims 11-20 are presented for further examination.

#### ***Response to Arguments***

2. In view of the Appeal Brief filed on January 10, 2005, PROSECUTION IS HEREBY REOPENED. A new ground of rejection set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

3. Applicant's arguments with respect to the Appeal brief, filed on January 10, 2005 have been fully considered and are persuasive. The rejection of claims 11-20 has been withdrawn.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 11-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al., (hereinafter "Jones") US Patent no. 6,195,422 and Campbell et al., (hereinafter "Campbell") US Patent no. 6,453,029.

As to claims 11 and 16, Jones discloses the claimed "logic for acquiring calling card system data" (col.8, lines 24-28; col.10, lines 13-25, lines 50-65; col.12, lines 7-15, lines 58-65 and col.13, lines 43-48). However, Jones does not explicitly disclose the use of transforming the system data into searchable billing data and customer usage data and providing queries on the searchable data.

On the other hand, Campbell discloses the claimed "logic for transforming the system data into searchable billing data and customer usage data" as a means for providing access to the caller's account responding to a rating query from call processor, wherein the call processor converts the account balance into a certain number of minutes for a specific connection and then subtracting the elapsed time from the initial balance (col.7, lines 28-32 and lines 46-50); and "logic for providing queries on the searchable data" by playing the remaining minutes as a warning to the caller (col.7, lines 50-53). Therefore, it would have been obvious to one having ordinary skill in the art the time the invention was made to combine the teachings of the cited references, wherein the calling card system provided therein (Jones' fig 3, "inter-LATA calling card system) would incorporate the use of transforming the system data into searchable billing data and customer usage data and providing queries on the searchable data in the same conventional manner as disclosed by Campbell. One having ordinary skill in the art would have found it motivated to use such a combination for the purpose of providing the

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caller with periodic time remaining warnings when the account balance approaches a minimum amount, thereby increasing the efficiency of the calling card system.

As to claims 12 and 17, Campbell discloses the claimed "logic for loading searchable data into a billing data mart" (col.7, lines 28-32 and lines 46-53).

As to claims 13 and 18, Campbell discloses the claimed "logic for loading searching data into a usage data mart" (col.7, lines 28-32 and lines 46-53).

As to claims 14 and 19, Jones discloses the claimed "logic for creating summary tables of the billing data mart and usage data mad" (col.12, lines 8-15; col.14, lines 7-15, lines 19-34).

As to claims 15 and 20, Jones discloses the claimed "logic for refreshing the billing data mad and usage data mart" (col.14, lines 27-50).


### *Conclusion*

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M Corrielus whose telephone number is (571) 272-4032. The examiner can normally be reached on 10 hours shift.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jean M Corrielus  
Primary Examiner  
Art Unit 2162

April 6, 2005